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PAGE 01 GENEVA 02721 081807Z

46

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SUBJ: CCD-INFORMAL MEETINGS ON ENVIRONMENTAL MODIFICATION, APRIL 5-6

REF: GENEVA 2285

SUMMARY. CCD HELD FOUR INFORMAL MEETINGS APRIL 5-6 FOR ARTICLE-
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PAGE 02 GENEVA 02721 081807Z

BY ARTICLE DISCUSSION OF US-SOVIET DRAFT ENMOD CONVENTION. US,

SOVIET, AND FRG EXPERTS PARTICIPATED IN MEETINGS, WHICH FOCUSED ON ARTICLES I,II, AND III OF DRAFT. ARTICLE V (COMPLAINTS PROVISIONS) WAS NOT DISCUSSED. MAJOR DEVELOPMENTS WERE US DEFINITION OF TERMS "WIDESPREAD, LONG-LASTING, OR SEVERE", EMERGENCE OF QUESTIONS OF SELF-DEFENSE AS AN ISSUE AND US PRESENTATION BEARING ON RESEARCH AND DEVELOPMENT QUESTION. END SUMMARY.

1. MARTIN (US) RESPONDED TO A NUMBER OF QUESTIONS RAISED IN PLENARY STATEMENTS CONCERNING VARIOUS ELEMENTS OF ARTICLE I OF THE DRAFT. IN PARTICULAR, HE GAVE US INTERPRETATION OF TERMS "WIDESPREAD" (ON A SCALE OF SEVERAL HUNDRED SQUARE KILOMETERS), "LONG-LASTING"(PERIOD OF MONTHS OR ABOUT A SEASON), AND "SEVERE" (VERY SERIOUS DISRUPTION AS MEANS OF VERY SERIOUS DAMAGE), DEFINITIONS WERE WELCOMED BY VAN DER KLAUW (NETHERLANDS), AND BERASATEGUIA (ARGENTINA) COMMENTED THAT US STATEMENT SUGGESTED SCOPE OF CONVENTION WAS CONSIDERABLY WIDER THAN APPEARED. OGISO SAID JAPAN COULD SUPPORT INCLUSION OF THESE TERMS IF THEY WERE DEFINED IN ANNEX TO CONVENTION. SOVIET EXPERTS, ACADEMICIAN FEDOROV AND PROFESSOR SEDUNOV, SAID SCIENTISTS COULD NOT PROVIDE DEFINITION FOR THE TERMS, WHICH SHOULD BE INTERPRETED ON CASE-BY-CASE BASIS DEPENDING ON PARTICULAR TYPE OF ENMOD ACTIVITY INVOLVED. (MARTIN DISCUSSED WITH ROSHCIN THIS DIFFERENCE OF APPROACH BETWEEN SOVIET EXPERTS AND US INTERPREATION. ROSHCIN DID NOT CONSIDER DIFFERENCE SIGNIFICANT, AND SAID HE RECOGNIZED THAT TERMS WOULD PROBABLY HAVE TO BE DEFINED IN COURSE OF NEGOTIATIONS).

2. SECOND MAJOR DEVELOPMENT WITH RESPECT TO ARTICLE I WAS CONCERN EXPRESSED BY MISHRA (INDIA) THAT DRAFT WAS INTENDED TO PROHIBIT USE OF ENMOD TECHNIQUES EVEN AS MEANS OF SELF-DEFENSE IN A STATE'S OWN TERRITORY. HE SAID IT WOULD BE "IMPOSSIBLE" TO PROHIBIT USE OF ENMOD TECHNIQUES WHOSE EFFECTS "COULD REASONABLY BE EXPECTED" TO OCCUR WITHIN THE USING STATE'S BOUNDARIES. ROSHCIN TOOK STRONG EXCEPTION TO THIS IDEA, SAYING FUNDAMENTAL PURPOSE OF CONVENTION WAS PRECISELY TO PROHIBIT ALL USE OF ENMOD TECHNIQUES HAVING WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS.

3. SOVIETS CRITICIZED REFORMULATION OF ARTICLE I PROPOSED BY LIMITED OFFICIAL USE

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PAGE 03 GENEVA 02721 081807Z

FRG ON MARCH 25 (REFTEL), POINTING OUT THAT THIS LANGUAGE WOULD CREATE AN IMBALANCE BY PROVIDING FOR PROHIBITION OF USE OF TECHNIQUES "HAVING WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS" DURING ARMED CONFLICT WHILE PROHIBITING USE OF TECHNIQUES "AS MEANS OF DESTRUCTION, DAMAGE, OR INJURY" IN OTHER CIRCUMSTANCES. TWO TYPES OF PROHIBITION WOULD THUS BE SET OUT. SCHLAICH (FRG) SUBSEQUENTLY REVISED PROPOSAL TO READ: "EACH STATE PARTY TO THIS CONVENTION UNDERTAKES NOT TO ENGAGE, IN ARMED CONFLICT OR IN ANY

OTHER HOSTILE MANNER, IN THE USE OF ENMOD TECHNIQUES HAVING WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS AS THE MEANS OF DESTRUCTION, DAMAGE, OR INJURY TO ANOTHER STATE PARTY". THIRD PREAMBULAR PARA WOULD BE CHANGED TO READ: "REALIZING THAT HOSTILE USE OF ENMOD TECHNIQUES COULD HAVE, ETC."

4. ON ARTICLE II (DEFINITION OF ENMOD TECHNIQUES AND ILLUSTRATIVE LIST OF EFFECTS), SOVIET EXPERTS PRESENTED LENGTHY DISCUSSION OF THE LIST OF EFFECTS, DEFENDING THE INCLUSION OF SUCH EXAMPLES ON EARTHQUAKE GENERATION AND MODIFICATION OF OCEAN CURRENTS AND OZONE LAYER. FRG EXPERT MULLER, HOWEVER, REITERATED DOUBTS ABOUT APPROPRIATENESS OF OCEAN CURRENT MODIFICATION AS A REALISTIC EXAMPLE OF ENMOD. JAPAN AGAIN PROPOSED INCLUDING IN LIST MODIFICATION OF ICE AND SNOW FIELDS ON LAND AND AT SEA. MARTIN EXPLAINED TERM "DELIBERATE MANIPULATION OF NATURAL FORCES," AND, RESPONDING TO UK QUESTION, SAID THAT IN US VIEW DESTRUCTION OF DAMS WAS NOT AN "ENMOD" TECHNIQUE COVERED BY THE DRAFT. HE NOTED, HOWEVER, THAT THIS QUESTION WAS BEING DEALT WITH IN LAWS OF WAR CONFERENCE. MARTIN ALSO REITERATED THAT USE OF HERBICIDES TO UPSET ECOLOGICAL BALANCE OF A REGION WOULD BE PROHIBITED.

5. IN RELATION TO ARTICLE III (NONAPPLICABILITY OF CONVENTION TO PEACEFUL ENMOD USES), US EXPERT RONALD LAVOIE MADE PRESENTATION WITH SLIDES AND FILM DEPICTING ACTUAL OPERATION OF PEACEFUL EXPERIMENTS WITH CLOUD-SEEDING, UNDERSCORING FACT THAT R AND D ON SUCH ENMOD TECHNIQUES WOULD BE SAME FOR PEACEFUL OR HOSTILE APPLICATIONS. MARTIN ALSO STRESSED IMPLICATIONS OF ATTEMPT TO PROHIBIT R AND D FOR CONDUCT OF AN RESEARCH IN PEACEFUL APPLICATIONS. HE SUGGESTED THAT CONSIDERATION OF SUCH CONFIDENCE-BUILDING MEASURES AS EXCHANGE OF INFORMATION WOULD BE MORE PRODUCTIVE COURSE THAN EFFORT TO BAN R AND D. SUPPORTERS OF R AND D BAN, INCLUDING ARGENTIAN AND NETHERLANDS, DID NOT ADDRESS LIMITED OFFICIAL USE

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PAGE 04 GENEVA 02721 081807Z

QUESTION IN INFORMAL MEETINGS.

6. ARTICLE V (COMPLAINTS PROVISIONS) WAS NOT ADDRESSED IN MEETINGS, AFTER SCHLAICH SUGGESTED THAT IT BE LEFT FOR CONSIDERATION DURING SUMMER SESSION. OTHER ARTICLES RECEIVED LITTLE COMMENT. HOWEVER, SEVERAL DELEGATIONS REITERATED SUPPORT FOR INCLUSION OF PROVISION FOR PERIODICAL REVIEW CONFERENCES, AND ITALY AND POLAND JOINED SUPPORTERS OF SUCH A PROVISION.

7. MEETINGS WERE PARTICULARLY USEFUL IN IDENTIFYING POTENTIAL DIFFICULTY OVER QUESTION OF SELF-DEFENSE AND IN PROVIDING OPPORTUNITY FOR EXAMINATION OF WIDESPREAD, LONG-LASTING, OR SEVERE CRITERIA AND QUESTION OF RESEARCH AND DEVELOPMENT. DELEGATIONS TAKING ACTIVE ROLE IN DISCUSSIONS WERE ESSENTIALLY THOSE THAT HAD ALREADY MADE STATEMENTS ON SUBJECT IN PLENARY, ESPECIALLY

NETHERLANDS, FRG AND ARGENTINA, WHICH GENRALLY REITERATED
PREVIOUSLY STATED VIEWS, AND US AND USSR, WHOSE PRESENTATIONS
BY EXPERTS ADDED SIGNIFICANT NEW ELEMENTS TO CONSIDERATION OF
ARTICLES I, II AND III. OVERALL DELEGATION ASSESSMENT OF
ENOMOD DISCUSSIONS AT SPRING SESSION WILL BE SENT AT TNE OF
SESSION. DALE

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